

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
U.S. Appln. No.: 09/462,350  
Attorney Docket No.: Q61563

**REMARKS**

This amendment, submitted in response to the Office Action dated January 2, 2004, is believed to be fully responsive to each point of objection raised therein. Accordingly, favorable reconsideration is respectfully requested.

**I. Formal Matters**

Applicant thanks the Examiner for initialing the references listed on form PTO-1449 submitted with the Information Disclosure Statements filed on October 31, 2000 and May 16, 2003.

Additionally, Applicant thanks the Examiner for acknowledging the claim to foreign priority under 35 U.S.C. § 119(a)-(d) and for confirming that the certified copy of the priority document has been received.

**II. Preliminary Matters**

The Examiner objected to the disclosure because of informalities. Applicant herein amends the specification to correct the first informality by filling in the blank in line 16 of page 6 with “2001-094468.” Therefore, Applicant respectfully requests the Examiner to withdraw the objections.

Applicant has not changed “correlator 0” on line 9 of page 27 to “correlator #1.” Applicant respectfully directs the Examiner to line 20 of page 26 which explains how correlator #0 of the correlator blocks 101<sub>0</sub> is output during the (M-1)st period. Applicant respectfully requests the Examiner to withdraw the objections.

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Additionally, claims 1-5 and 7-10 are objected to because of informalities. Claim 1 has been amended to address the objections to claims 1-5. Therefore, Applicant respectfully requests the Examiner to withdraw the objection of independent claim 1 and dependent claims 2-5.

Also, Applicant has amended claims 3, 7, and 8 to more clearly describe the invention. Such amendments do not narrow the scope of the claims and, therefore, do not subject the claims to prosecution history estoppel. Applicant respectfully, request the Examiner to withdraw the objection of claims 3, 7, and 8.

### **III. Claims**

Claims 1-14 are all the claims pending in the application.

**A. Rejections under § 112.** Claims 6-12 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant traverses these rejections. The Examiner asserts that the “reading out of the correlation value from said received signal storage memory” in step (i) of claim 6 has not been described in the specification. Applicant respectfully disagrees. The specification states that readout is made every K chips from the received signal  $C_1$  offset one chip relative to the first readout data  $C_0$  from the received signal storage memory (see, pg. 28, ln. 16-18).

The Examiner asserts that the “read out from said correlation value storage memory controller and said signature pattern stored in the signature pattern storage unit” as recited in step

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(k) of claim 6 is not described in the specification. However, the specification states that the correlation value storage memory controller reads out k correlation values from the correlation value storage memory to send the read-out correlation values to the second correlator. The second correlator calculates the correlation between the correlation values of length K with the signature (*see, pg. 31, ln. 7-12*). Applicant has therefore amended step (k) of claim 6 to better correspond to the description given in the specification. Applicant respectfully requests that the Examiner withdraw the § 112 rejection of claims 6-12.

Claims 1-5 and 7-14 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 1 so that the limitation “first-stage correlators taking correlation between M received signals spaced apart from one another by every K chips” recited in lines 12-13 is more consistent with the preamble of the claim.

Additionally, Applicant has amended claim 2 so that the limitation will not conflict with claim 1 by changing “code sequence of length L...” to “code sequence of length N...”

Applicant has amended claim 3 for clarity. Also, claim 3 has been amended so that Line 12 refers to (R+1) correlators and line 18 refers to the (R+1)st correlator.

Applicant has amended claim 7 so that the limitation “said correlators” recited in line 9 clearly refers to “L/K+1 correlators” in line 6 of claim 7. Similarly, claim 7 has been amended so that “said correlator” of lines 15-16 more clearly refers to “second correlators.”

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Applicant has amended claim 8 so that the limitation "said correlators" recited in lines 11-12 more clearly refers to "second correlators." Additionally, Applicant has amended claim 13 to more clearly define the scope. Claim 14 has been amended to correct minor grammatical errors and to make the claim consistent with the preamble.

Claims 1, 7, 8, and 14 have been amended to overcome the above 112, second paragraph rejection. The Examiner is respectfully requested to reconsider and withdraw this rejection in view of the claim amendments.

Claims 2, 4, 5, 8, 11, and 14 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended the claims and corrected the antecedent basis informalities as the Examiner has suggested and as a result, the scope of the claims have not been narrowed. Therefore, Applicant respectfully requests that the rejection to claims 2, 4, 5, 8, 11, and 14 under 35 U.S.C. § 112(2) be reconsidered and withdrawn.

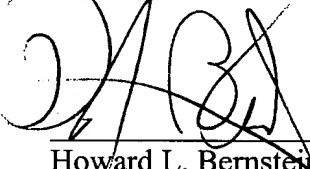
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**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

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